## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:16-cv-00352-MOC

| JERMAINE WHITAKER,        | ) |       |
|---------------------------|---|-------|
|                           | ) |       |
| Petitioner,               | ) |       |
|                           | ) |       |
| Vs.                       | ) | ORDER |
|                           | ) |       |
| UNITED STATES OF AMERICA, | ) |       |
|                           | ) |       |
| Respondent.               | ) |       |

**THIS MATTER** is before the court on the respondent's Motion to Place Motion Under 28 U.S.C. § 2255 in Abeyance. Having considered the respondent's motion and reviewed the pleadings, the court enters the following Order.

## **ORDER**

IT IS, THEREFORE, ORDERED that the respondent's Motion to Place Motion Under 28 U.S.C. § 2255 in Abeyance (#3) is GRANTED, and this matter is HELD in abeyance pending issuance of a decision in <u>Beckles v. United States</u>, No. 15-8544, and the government shall have 60 days from issuance of such decision to file its Answer or other response.

Signed: August 9, 2016

Max O. Cogburn Jr United States District Judge